

SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA
2010 JUL -9 PM 4:47
JEANNE HICKS, CLERK
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9
10 **IN THE SUPERIOR COURT**

11 **STATE OF ARIZONA, COUNTY OF YAVAPAI**

12 STATE OF ARIZONA,

V1300CR201080049

13 Plaintiff,

14 vs.

15 JAMES ARTHUR RAY,

16 Defendant.

MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE TO DEFENDANT'S
MOTION TO CHANGE PLACE OF TRIAL
PURSUANT TO ARIZ. R. CRIM. P. 10.3 AND
DEFENDANT'S MOTION TO COMPEL
DISCLOSURE OF ALL INFORMATION AND
MATERIAL REGARDING THE MEDICAL
EXAMINERS' OPINIONS ON CAUSE OF
DEATH

(The Honorable Warren Darrow)

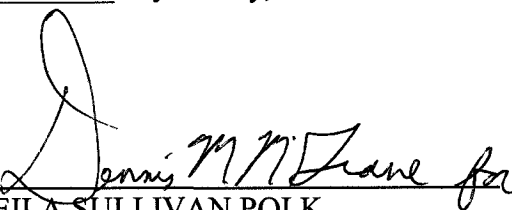
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19 The State of Arizona, by and through Sheila Polk, Yavapai County Attorney, respectfully
20 requests an extension of time to file its Responses to Defendant's Motion to Change Place of
21 Trial Pursuant to Ariz. R. Crim. P, 10.3 and Defendant's Motion to Compel Disclosure of all
22 Information and Material Regarding the Medical Examiners' Opinions on Cause of Death.

23
24 Defendant filed the referenced motions on June 29, 2010. Each Motion was sixteen pages
25 in length and supported by a "Declaration" that was seven pages in length. In addition, attached
26

1 to the "Declarations" were a total of 68 exhibits. In total, the two "Declarations" and
2 accompanying exhibits were 435 pages in length. On July 2, 2010, the State moved to strike the
3 Motions for non-compliance with the page limitations set forth in Rule 32.1, Ariz. R. Crim. P.
4 Later that same date, Defendant filed a Request for Leave to Exceed the Page Limits. The State
5 objected to this Request on July 6, 2010. To date no ruling has been made on the State's Motion
6 to Strike. This Court has set oral argument on these Motions for August 10, 2010.

8 Under the time periods set forth in Rule 35.1(a), Ariz. R. Crim. P., the State's responses
9 are due July 9, 2010. However, because the two motions along with the attached exhibits are
10 approximately 450 pages in length as opposed to 10 pages each as envisioned by the Rule, the
11 State needs additional time to properly analyze the documents and prepare its response.
12 Accordingly, the State respectfully requests this Court grant an additional 10 days to allow the
13 State to file its responses. If, in the interim, this Court should grant the State's Motion to Strike,
14 the State would request its time to file a response to run in accordance with Rule 35.1, Ariz. R.
15 Crim. P., once compliant motions are filed.

17 RESPECTFULLY submitted this 9th day of July, 2010.

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19
20 By  for
21 SHEILA SULLIVAN POLK
22 YAVAPAI COUNTY ATTORNEY

23 **COPIES** of the foregoing emailed this
24 9th day of July, 2010:

25 Hon. Warren Darrow
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COPIES of the foregoing delivered this
9th day of July, 2010, to

Thomas Kelly
Via courthouse mailbox

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